BEFORE THE

ORIGINAL

Federal Communications Commission

WASHINGTON, D.C.

In the Matter of)	RECEIVED - F	
Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations.) MB Docket No RM)	JUL 2 6 2004 Federal Communication Com Bureau/Office	
(Wilburton and Okemah, Oklahoma)	RECEIVED	7004	
To: Office of Secretary Attn: Chief, Audio Division Media Bureau	JUL 2 6 2004 Federal Communications Commission Office of the Secretary		
	SUPPLEMENT TO	13.	
PETIT	ION FOR RULE MAKING		

Little Dixie Radio Inc., licensee of KESC(FM), Channel 279C1, Wilburton, Oklahoma, and KMCO(FM), Channel 267C1, McAlester, Oklahoma; KESC Enterprises, Inc., proposed assignee of KESC(FM) (see FCC File No. BALH-20040610ABH); and Southeastern Oklahoma Radio, LLC, proposed assignee of KMCO(FM) (see FCC File No. BALH-20040610ABL) (jointly, "Petitioners"), by their undersigned attorneys and pursuant to Section 1.401 of the Commission's rules, hereby supplement the Petition for Rule Making filed by the parties on June 23, 2004 to include the attached Technical Exhibit. While the narrative portion of the Technical Exhibit was attached to the original Petition as Exhibit A, the attached figures were inadvertently excluded. This supplement includes the Technical Exhibit in its entirety.

For these reasons, Petitioners respectfully renew their request that the Commission promptly initiate the rule making requested in the Petition to amend Section 73.202(b) of the Commission's rules, the Table of Allotments for FM Broadcast Stations, to reallot Channel

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279C1 from Wilburton, Oklahoma to Okemah, Oklahoma, as the latter community's first local aural transmission service and to reallot Channel 267C1 from McAlester to Wilburton.

Respectfully submitted,

LITTLE DIXIE RADIO INC.

By:_____ Title:

KESC ENTERPRISES, INC. SOUTHEASTERN OKLAHOMA RADIO, LLC

By: Verence D. Molargh L. Syputt Richard R. Zaragoza

Veronica D. McLaughlin Tippett

Their Attorneys

SHAW PITTMAN LLP 2300 N Street, NW Washington, DC 20037-1128 (202) 663-8000

Dated: July 26, 2004

279C1 from Wilburton, Oklahoma to Okemah, Oklahoma, as the latter community's first local aural transmission service and to reallot Channel 267C1 from McAlester to Wilburton.

Respectfully submitted,

LITTLE DIXIE RADIO INC.

Title: President

KESC ENTERPRISES, INC. SOUTHEASTERN OKLAHOMA RADIO, LLC

Зу:_____

Richard R. Zaragoza Veronica D. McLaughlin Tippett

Their Attorneys

SHAW PITTMAN LLP 2300 N Street, NW Washington, DC 20037-1128 (202) 663-8000

Dated: July 26, 2004

EXHIBIT A

TECHNICAL EXHIBIT IN SUPPORT OF A PETITION FOR RULE MAKING TO AMEND THE FM TABLE OF ALLOTMENTS WILBURTON AND OKEMAH, OKLAHOMA

Technical Narrative

This technical narrative and associated exhibits have been prepared on behalf of FM station KESC (herein "Petitioner") in support of a Petition for Rule Making ("Petition") to amend Section 73.202(b) by the reallotment of channel 279C1 from Wilburton to Okemah, Oklahoma and the modification of the license of KESC on channel 279C1 at Wilburton, Oklahoma, accordingly (BLH-20020513AAT). As the requested change to channel 279C1 at Okemah is mutually exclusive with the present allotment of channel 279C1 at Wilburton, Petitioner invokes the provisions of Section 1.420(i).

In order to provide a replacement service at Wilburton, the licensee of KMCO on channel 267C1 at McAlester, Oklahoma requests the reallotment of channel 267C1 from McAlester to Wilburton and the modification of KMCO's license accordingly.

The following is a summary of the reallotment proposal:

- The city of Okemah, Oklahoma (2000 Census population 3,038) will be provided with its first local aural transmission service.
- The proposal will not remove the only local service at Wilburton, Oklahoma (2000 population 2,972) as KMCO on channel 267C1 at McAlester, Oklahoma will be reallotted from McAlester to Wilburton, Oklahoma.
- The number of persons within the KESC 1 mV/m contour will increase from 134,922 persons to 251,593 persons, and there will be a "net" increase in 1 mV/m coverage to 116,671 persons.
- Okemah is not located within any Urbanized area as defined by the 2000 U.S. Census.

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Wilburton and Okemah, Oklahoma

Proposed Change in Table of Allotments

Station KESC is currently licensed (BLH-20020513AAT) to operate on channel 279C1 at Wilburton, Oklahoma with an effective radiated power (ERP) of 100 kW and an antenna height above average terrain (HAAT) of 185 meters. Wilburton city is located in Latimer County, Oklahoma and has a 2000 U.S. Census population of 2,972 persons. Wilburton currently has no other local FM or AM services. However, the proposal will not remove the only local service at Wilburton as licensed (BMLH-20020513AAR) FM station KMCO at McAlester, Oklahoma will be reallotted from McAlester to Wilburton. Furthermore, McAlester, which is located in Pittsburgh County and has a 2000 Census population 17,783 persons, will not be deprived of its sole existing service as FM stations KBCW on channel 220A and KTMC on channel 286A and fulltime AM stations KNED on 1150 kHz and KTMC on 1400 kHz are assigned to McAlester.

Okemah city, Oklahoma is located in Okfuskee County and has a 2000 U.S. Census population of 3,038 persons. Okemah has no local FM or AM service and, therefore, Petitioner's proposal would bring first local aural broadcast service to Okemah.

City	Present	Proposed
McAlester, Oklahoma	267C1, 286A	286A
Okemah, Oklahoma		279C1
Wilburton, Oklahoma	279C1	267C1

Compliance With FCC Rules

The attached Figure 1 is a tabulation of required separations pertinent to use of channel 279C1 at Okemah. The allotment reference site complies with the Commission's minimum distance separation requirements contained in section 73.207 to all existing, authorized and proposed stations and allotments.

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Wilburton and Okemah, Oklahoma

Operation from the allotment reference site will provide the requisite city grade signal to all of Okemah.

Figure 2 is a map showing the area to locate channel 279C1 at Okemah in compliance with the Commission's minimum distance separation requirements and city coverage requirements based on maximum Class C1 facilities (ERP 100 kW/HAAT 299 m). The Okemah city limits shown on Figure 2 were obtained from a map contained in the 2000 U.S. Census of Population.

Pursuant to Section 1.420(i), the Commission will consider petitions to modify the license/construction permit of an FM station to specify a new community if the proposed allotment would be mutually exclusive with the present assignment. As the entire area to locate for channel 279C1 at Okemah depicted on Figure 2 would be short-spaced to the licensed KESC operation on channel 279C1, including the channel 279C1 reference site, the new allotment is mutually exclusive with the existing allotment.

Wilburton, Oklahoma will not be deprived of its sole existing local service as KMCO on channel 267C1 at McAlester, Oklahoma will be reallotted from McAlester to Wilburton. No change in KMCO's presently licensed transmitter site is proposed (BMLH-20020513AAR). The attached Figure 3 is a tabulation of required separations pertinent to use of channel 267C1 at Wilburton from the licensed KMCO transmitter site. The licensed KMCO transmitter site complies with the Commission's minimum distance separation requirements contained in section 73.207 to all existing, authorized and proposed stations and allotments.²

Figure 4 is a map demonstrating that operation of KMCO on channel 267C1 at Wilburton will comply with the FCC's city coverage requirements. Specifically, Figure 4 depicts the 70 dBu contours for KMCO based on its licensed facilities (ERP

¹ The coordinates for channel 279C1 at Okemah are 35-14-22 North Latitude, 96-18-48 West Longitude.

The coordinates for KMCO's licensed operation are 34-59-13 North Latitude, 95-42-10 West Longitude.

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100 kW/HAAT 188 meters) and presuming uniform terrain (FCC allotment stage requirement) and actual terrain (FCC application stage requirement). As shown, operation from the licensed KMCO site will provide the requisite city grade signal to Wilburton. The Wilburton city limits shown on Figure 4 were obtained from a map contained in the 2000 U.S. Census of Population.

Pursuant to Section 1.420(i), the Commission will consider petitions to modify the license/construction permit of an FM station to specify a new community if the proposed allotment would be mutually exclusive with the present assignment. As there will be no change in the KMCO transmitter site or channel allotment (267C1) the new allotment at Wilburton is mutually exclusive with the existing allotment at McAlester.

Urbanized Area Considerations

Okemah is not located within any Urbanized area as defined by the 2000 Census. Furthermore, the 70 dBu contour for the proposed channel 279Cl operation at Okemah will not encompass any portion of an Urbanized Area.

Gain and Loss Areas and Available Aural Services

Figure 5, attached, is a map showing the FM 1 mV/m primary service contours for the licensed KESC operation on channel 279Cl at Wilburton and the proposed KESC channel 279Cl allotment at Okemah. Maximum Cl facilities and uniform terrain were utilized. The 1 mV/m "gain" and "loss" areas are also indicated.

It is noted that there will be no change in KMCO's presently licensed site or facilities (channel 267C1, ERP 100 kW/HAAT 188 m). Therefore, there will be no loss or gain in reception service for the proposed KMCO operation on channel 267C1 at Wilburton.

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Figure 6, attached, is a map showing the FM 1 mV/m primary service contours for the licensed KESC operation on channel 279C1 at Wilburton and the proposed channel 279C1 allotment at Okemah. Maximum Class C1 facilities and uniform terrain were utilized. The 1 mV/m "gain" and "loss" areas are also indicated. Also shown are other aural (AM, FM) services available to the areas within the 1 mV/m contours. Figure 7 tabulates the AM and FM stations whose contours are shown on Figure 6. For FM stations the 1 mV/m contour is depicted, and for AM stations the nighttime-interference-free contour (NIF) is shown. Numbers indicate the number of available aural services.

As indicated on Figure 6, the gain area includes an area receiving four (4) aural services which encompasses 245 square kilometers and contains 2,290 persons. The remaining gain area receives five (5) or more aural services and is considered well-served. The loss area includes an area receiving four (4) aural services which encompasses 249 square kilometers and contains 167 persons. The remaining loss area receives five (5) or more aural services and is considered well-served.⁴

Population and Area within Gain and Loss Areas

Figure 8 is a tabulation of the land areas and estimated populations within the 1 mV/m FM primary service contours for the licensed KESC operation on channel 279C1 at Wilburton and the proposed channel 279C1 allotment at Okemah. Also tabulated are the gain, loss and "net" gain areas and the results of the reception service analyses for these areas. Adoption of the Petitioner's proposal will increase the number of persons within the KESC 1 mV/m contour from 134,922 persons to 251,593 persons and will result in a "net" increase in 1 mV/m coverage to 116,671 persons.

³The determination of available reception services was based on the criteria set forth in footnote 1 of the Notice of Proposed Rule Making in MM Docket No. 96-219 (DA 96-1774; adopted October 25, 1996, released November 1, 1996). ⁴ See Report and Order in MM Docket No. 97-242 (RM-9192, DA 98-190) at paragraph 3 (loss area will continue to receive at least three full time aural services which is considered to be well served).

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Coverage Contours

The FM predicted coverage contours were calculated in accordance with the provisions of Section 73.313, except that uniform terrain was presumed in all directions. Distances to AM contours were based on either nondirectional radiation pattern values or standard radiation pattern values obtained from the FCC's AM database. FCC Figure M-3 conductivity employed along all azimuths.

Population and Area

The population within each FM primary service contour (1 mV/m) and each gain, loss, reception and interference area was calculated using a computer program that utilizes the 2000 U.S. Census database of "population centroids". The program adds the populations of those U.S. Census designated areas whose centroid was within each service area. The area within each FM primary service contour was calculated using a root mean square algorithm.

Conclusion

Channel 279C1 can be reallotted from Wilburton, Oklahoma to Okemah, Oklahoma in compliance with all applicable Commission Rules. The proposal will result in first local aural service to Okemah. Wilburton will not be deprived of its only local service as KMCO on channel 267C1 can be reallotted from McAlester to Wilburton in compliance with all applicable Commission rules. McAlester will not be deprived of its sole existing service as FM stations KBCW on channel 220A and KTMC on channel 286A and fulltime AM stations KNED on 1150 kHz and KTMC on 1400 kHz are assigned to McAlester. The number of persons within the KESC 1 mV/m contour will increase from 134,922 persons to 251,593 persons, and there will be a "net" increase in 1 mV/m coverage to 116,671 persons. Therefore,

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Petitioner requests the reallotment of channel 279C1 to Okemah and the modification of the Petitioner's license to specify operation on channel 279C1 at Okemah.

W. Jeffrey Reynolds

du Treil, Lundin & Rackley, Inc. 201 Fletcher Avenue Sarasota, Florida 34237 (941)329-6000 JEFF@DLR.COM

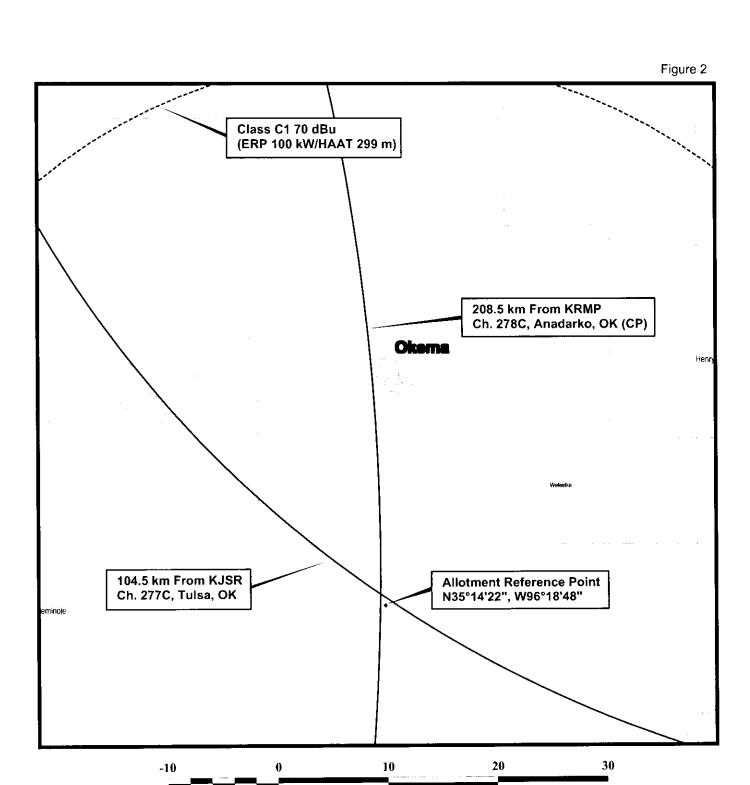
April 29, 2004

CDBS FM SEPARATION STUDY

Job Title: Proposed KESC, Okemah, Oklahoma Separation Buffer: 32 km Channel: 279 Cl Coordinates: 351422 961848

Call Id	City St Status	File Num	Channel Freq	ERP H AA T	DA Id	Latitude Longitude		Bear	Dist.	Req. 215	(km) 207
KJSR 9801	TULSA OK LIC C 20			00.000 390	N	36-01-10 095-39-24	N	34.2	105.01 0.01	99.0 Clos	105.0 e
KRMP 2189	ANADARKO OK LIC C 20		278 C1 75	5.000 89	N	34-56-30 098-22-34	Y	260.6	190.98 13.98	158.0 Clos	
KRMP 2189	ANADARKO OK CP C 20			00.000 600	N	35-15-04 098-36-53	N	271.0	209.46 0.46	188.0 Clos	
	ANADARKO OK RSV C 95		278 C 0	.000	N	35-23-18 098-37-41	N	275.2	211.15 2.15	188.0 Clos	
KESC 83209	WILBURTON OK LIC C 20		279 C1 10 ' 103.7	00.000 185	N	34-59-13 095-42-10	N	116.6	62.31 -182.69		
KVIL-F 28624	HIGHLAND PA TX LIC C 19		279 C 10 103.7	00.000 507	N	32-35-19 096-58-05	N	191.8	300.19 30.19	249.0 Clea	
KKIX 48951	FAYETTEVILL AR LIC C 19		280 C1 10 103.9	00.000 147	N	36-01-17 094-13-04	Y	64.7	208.71 31.71	158.0 Clea	
KMGL 55708	OKLAHOMA CI OK LIC C 19		281 C 10	00.000 415	N	35-32-58 097-29-18	N	288.3	112.15 7.15	99.0 Clos	105.0 e

 $^{^1}$ Existing KESC site. Requested reallotment of channel 279C1 to Okemah, OK is mutually exclusive with Petitioner's current channel 279C1 allotment at Wilburton, OK.



AREA-TO-LOCATE

Kilometres

STATION KESC CHANNEL 279C1 OKEMAH,OKLAHOMA

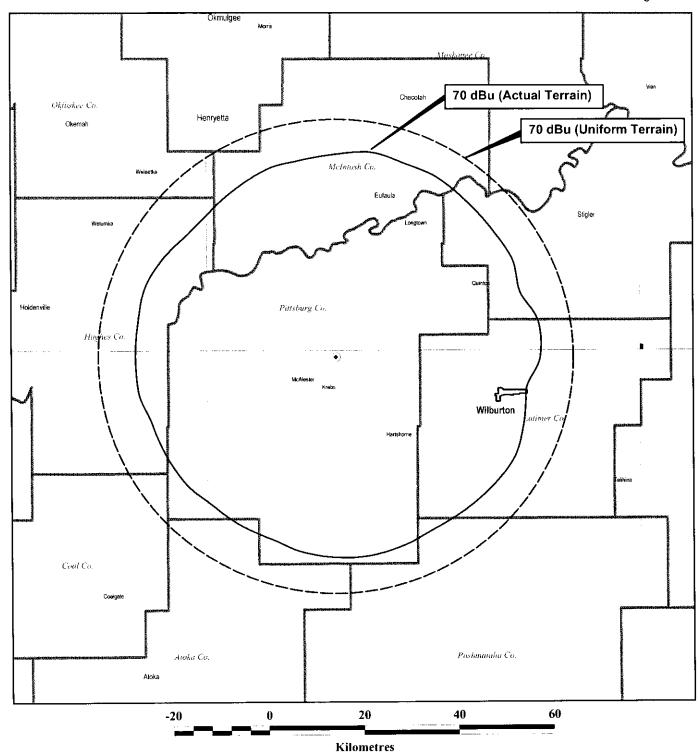
CDBS FM SEPARATION STUDY

Job Title: Proposed KMCO, Wilburton, Oklahoma Separation Buffer: 32 km Channel: 267 Cl Coordinates: 345913 954210

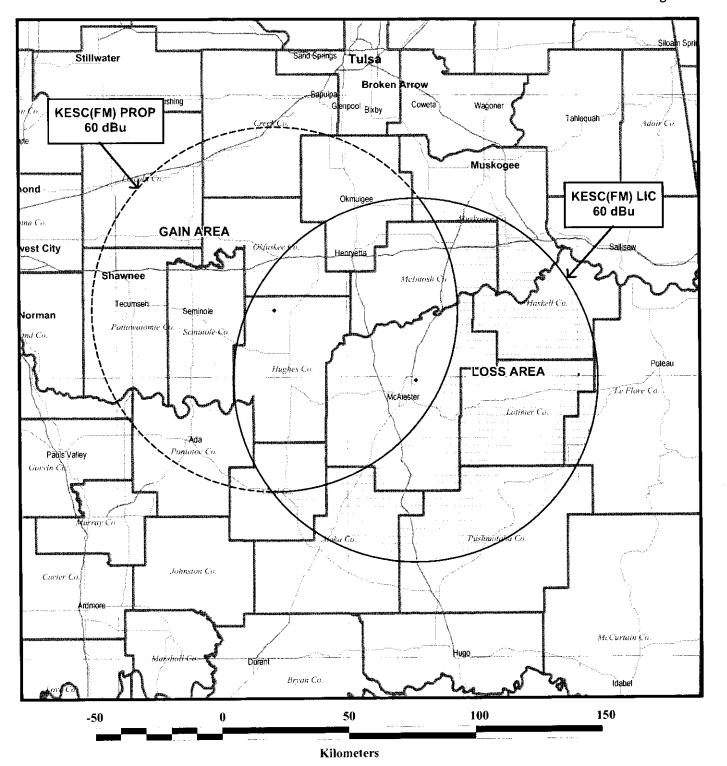
Call Id	City File St Status Num	= " = = =		Latitude :			Dist. (km)	_	
	HOLDENVILLE RM OK ADD C 10200	265 A 0.000 100.9		35-04-53 096-31-00		278.3		69.0 Clos	
	KONAWA RM OK ADD C *dd008	265 A 0.000 100.9		35-02-08 096-40-28		273.8	88.86 13.86	69.0 Clos	
	PAULS VALLE RM OK ADD C *dd010	266 A 0.000 101.1		34-40-26 097-06-06		255.2	132.60 -0.40		
	WYNNEWOOD RM OK ADD C 10448	266 A 0.000 101.1		34-38-23 097-05-38		253.5	132.98 -0.02		133.0 e
KMCO 37777	MCALESTER BMLH OK LIC C 20020513	267 Cl 100.000 BAAR 101.3 188	N	34-59-13 095-42-10	N	93.6	0.00 -245.0		245.0 t ¹
KARV-F 78267	OLA BLH AR LIC C 19980112	267 A 0.740 2KD 101.3 277	N	34-59-34 093-11-35	N	89.1	229.14 29.14		200.0 r
KLAW 35045	LAWTON BLH OK LIC C 20010303		N	34-32-59 098-32-21	Y	260.2	264.15 19.15		245.0 r
	GREENWOOD BPED AR APP C 1997091		N	35-13-44 094-15-46	N	78.0		111.0 Clos	133.0 e
	GREENWOOD BPED AR APP C 1997091		N	35-13-43 094-15-45	N	78.0		111.0 Clos	133.0 se
	GREENWOOD AR VAC C	268 A 0.000 101.5	N	35-12-54 094-15-30	N	78.7	134.11 1.11	111.0 Clos	133.0 e
	GREENWOOD BPH AR APP C 1997091:	268 A 6.000 PMF 101.5 100	N	35-11-48 094-11-37	N	79.9	139.57 6.57		133.0 e
970910 88377	GREENWOOD BPH AR APP C 19970910	268 A 6.000 DMM 101.5 100	N	35-14-18 094-11-24	N	78.1	140.70 7.70		133.0 e
970911 88359	GREENWOOD BPH AR APP C 1997091	268 A 6.000 NW 101.5 100	N	35-10-54 094-08-00	N	80.9	144.75 11.75	111.0 Clos	133.0 se
KTBT 7669	COLLINSVILL BLH	268 C3 6.200 4KB 101.5 200	N	36-20-02 095-47-08	Y	357.2	149.63 5.63	133.0 Clos	
	WARNER BPH OK APP C 2004040	269 C3 25.000 PACQ 101.7 84	N	35-34-39 095-12-36	N	34.1	79.39 3.39		76.0 se

 $^{^{1}}$ Existing KMCO site. Requested reallotment of channel 267C1 to Wilburton, OK is mutually exclusive with current channel 267C1 allotment at McAlester, OK.

Figure 4



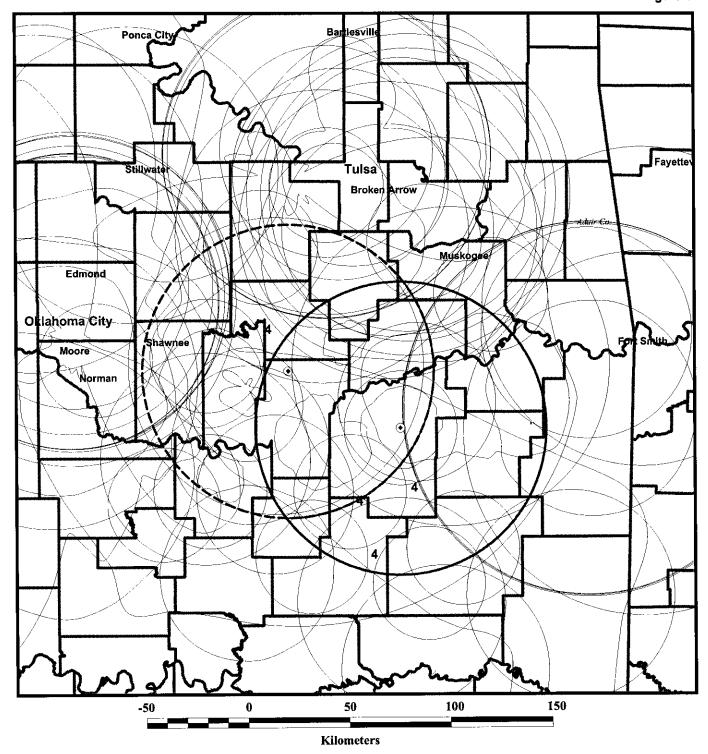
CITY COVERAGE COMPLIANCE STATION KMCO WILBURTON, OKLAHOMA CH 267C1 100 KW 188 M



60 dBu GAIN AND LOSS AREAS

FM STATION KESC OKEMAH,OKLAHOMA CHANNEL 279C1

Figure 6



OTHER AVAILABLE SERVICES

FM STATION KESC OKEMAH, OKLAHOMA CHANNEL 279C1

TABULATION OF FM & AM SERVICES FM STATION KESC OKEMAH, OKLAHOMA CHANNEL 279C1

FM SERVICES

	FM S	ERVICES			
Call Sign	Community of License	<u>State</u>	<u>Channel</u>	ERP(KW)	<u>HAAT</u>
KMSI	MOORE	OK	201C1	50	177
KDIM (CP)	COWETA	OK	201C1	100	168
KAZÇ	TISHOMINGO	OK	202C2	5.5	281
KTKL	STIGLER	OK	203C2	22	196
KXTH	SEMINOLE	OK	206A	2.3	118
KLRB	STUART	OK	207A	3	83
KWGS	TULSA	OK	208C1	50	325
KTGS	ADA	OK	210A	0.3	75
KCSC	EDMOND	OK	211C1	100	256
KNYD	BROKEN ARROW	OK	213C	100	499
KOKF	EDMOND	OK	215C	100	133
KVAZ	HENRYETTA	OK	218A	0.25	54
KARG	POTEAU	OK	219C2	2.5	569
KOSU-FM	STILLWATER	OK	219C	100	310
KBCW	MCALESTER	OK	220A	0.7	136
KIZS	BROKEN ARROW	OK	221C2	27	200
ALLOT	ANTLERS	OK	222C2		
KOMAFM	OKLAHOMA CITY	OK	223C	100	300
KBEZ	TULSA	OK	225C	100	402
KKNG-FM	NEWCASTLE	OK	227C1	100	243
KISR	FORT SMITH	AR	229C	100	381
KTSO	OKMULGEE	OK	231C1	100	246
KHBZ-FM	OKLAHOMA CITY	OK	234C	100	372
KQCV-FM	SHAWNEE	OK	236C	100	306
KWEN	TULSA	OK	238C	100	405
KITX	HUGO	OK	238C2	50	150
KKBD	SALLISAW	OK	240C2	30	190
ALLOT	CLAYTON	OK	241A		
KXXY-FM	OKLAHOMA CITY	OK	241C	100	372
KRAV-FM	TULSA	OK	243C	100	405
KQOB	ENID	OK	245C	100	442
KMMY	MUSKOGEE	OK	246C	100	380
KMOD-FM	TULSA	OK	248C	100	405
KZBB	POTEAU	OK	250C	100	610
KVOO-FM	TULSA	OK	253C	100	374
ALLOT	KIOWA	OK	254A		
KYIS	OKLAHOMA CITY	OK	255C	100	335
KMAG	FORT SMITH	AR	256C	100	600
KADA-FM	ADA	OK	257A	5.5	84.2
KXBL	HENRYETTA	OK	258C1	100	299
KTCS-FM	FORT SMITH	AR	260C	100	585

1000	DVALO	OV	00400	E0.	450
KYKC	BYNG	OK	261C2	50	150
KCXR	TAFT	OK	262A	3.9	125
KATT-FM	OKLAHOMA CITY	OK	263C	100	363
KXOJ-FM	SAPULPA	OK	265A	5	110
KMCO	MCALESTER	OK	267C1	100	188
KTST	OKLAHOMA CITY	OK	270C	100	372
KTFMX-FM	WARNER	OK	271A	6	84
KHKC-FM	ATOKA	OK	271A	3.3	137
ALLOT	ANTLERS	OK	272A		
KRTQ	SAND SPRINGS	OK	272C2	50	150
KTNT	EUFAULA	OK	273C3	10.5	154
KJYO	OKLAHOMA CITY	OK	274C	100	372
KJSR	TULSA	OK	277C	100	390
KMGL	OKLAHOMA CITY	OK	281C	100	415
KMYZ-FM	PRYOR	OK	283C1	70	344
KSLE	WEWOKA	OK	284A	1.7	154
KREK	BRISTOW	OK	285A	5	107
KTMC-FM	MCALESTER	OK	286A	1.6	154
KJMM	BIXBY	OK	287C2	10	268
KKFC	COALGATE	OK	288C3	20	111
KIRC	SEMINOLE	OK	290A	4.4	117
KIXO	SULPHUR	OK	291A	2.65	152
KKBI	BROKEN BOW	OK	291C2	17	249
KGOU	NORMAN	OK	292A	3	91
KTLS-FM	HOLDENVILLE	OK	293C3	25	100
KHTT	MUSKOGEE	OK	295C	100	308
KOMS	POTEAU	OK	297C	100	552
KRXO	OKLAHOMA CITY	OK	299C	100	302

AM SERVICES

Call Sign	Community of License	<u>State</u>	Frequency	ERP(KW)
WWLS	MOORE	OK	640	1
KRMG	TULSA	QK	740	25
WBAP	FORT WORTH	TX	820	50
WKY	OKLAHOMA CITY	OK	930	5
KTOK	OKLAHOMA CITY	OK	1000	5
KRLD	DALLAS	TX	1080	50
KFAQ	TULSA	OK	1170	50
KWSH	WEWOKA	OK	1260	1
KTBZ	TULSA	OK	1430	5
KOMA	OKLAHOMA CITY	OK	1520	50

STATION KESC OKEMAH, OKLAHOMA CHANNEL 279C1

Tabulation of Areas, Populations And Reception Services Within 1 mV/m Coverage Contours

I. Population and Land Area Within 1 mV/m Contours

	Within 1 mV/m Contour			
Facilities	2000 Census Population	Area (km²)		
Authorized Ch. 279C1				
Wilburton, OK	134,922	16,280		
Proposed Ch. 279C1				
Okemah, OK	251,593	16,280		

II. Population and Land Area Within Gain and Loss Areas

	Within 1 mV/m Co	Within 1 mV/m Contour			
Area	2000 Census Population	Area (km²)			
Gain	171,300	8,684			
Loss	54,629	8,684			
"Net" Gain	116,671	0			

III. Available Reception Services Within Gain and Loss Areas

	No. of	Within 1 mV/m Contour				
Area	Services	2000 Census Population	Area (km²)			
Gain	5 or more	169,010	8,439			
	4	2,290	245			
T	otal	171,300	8,684			

	No. of	Within 1 mV/m Contour		
Area	Services	2000 Census Population	Area (km²)	
Loss	5 or more	54,462	8,435	
	4	167	249	
Total		54,629	8,684	